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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
v.
ALEXIS ISABELL ADAMS and
MARCUS SHAW,
Defendant.

No. CR 12-0538 YGR

STIPULATION AND ~~PROPOSED~~ ORDER CONTINUING STATUS CONFERENCE AND SETTING BRIEFING SCHEDULE

The parties appeared before this Court on September 27, 2012, for their initial appearance before the district court. Defendant Alexis Adams was present with her counsel, Assistant Federal Public Defender Ellen Leonida. Defendant Marcus Shaw was not present because he is in state custody facing unrelated charges, but his counsel, Randy Sue Pollock, Esq., was present on his behalf. At that the hearing, the parties continued the matter until October 25, 2012, for further status, and defendant Adams's presence for that hearing was waived.

Defendant Adams's counsel and the government have now agreed upon a briefing schedule for defense motions. Defendant Shaw remains out of the district and in state custody. Accordingly, with the agreement of counsel for the parties and defendant Adams, the Court now

ORDER SETTING BRIEFING SCHEDULE
CR 12-0538 YGR

finds and holds as follows:

1. The status hearing set for October 25, 2012, for this case is vacated.

2. The following briefing scheduled is hereby ORDERED:

a. Defense motions due on November 15, 2012.

b. Government opposition due November 29, 2012.

c. Defense reply due on December 6, 2012.

d. Hearing on the motion shall be held on December 13, 2012.

3. In addition, the parties agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from October 25, 2012 to November 15, 2012. Failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and the need for counsel to investigate and prepare defense motions.

4. Given these circumstances, the Court finds that the ends of justice served by excluding the period from October 25, 2012 to November 15, 2012, outweigh the best interest of the public and the defendant in a speedy trial and filing of an indictment or information. 18 U.S.C. § 3161(h)(7)(A).

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1 5. Accordingly, and with the consent of defendant Adams, the Court orders that the
2 period from October 25, 2012 to November 15, 2012, be excluded from Speedy Trial Act
3 calculations under 18 U.S.C. §§ 3161(h)(7)(A) & (B)(iv) and (h)(1)(G). In addition, time is
4 excluded respecting defendant Shaw while he is out of the district in state custody facing
5 separate charges. 18 U.S.C. § 3161(h)(1)(B).

6 IT IS SO STIPULATED.

8 DATED: October 22, 2012

/s/
ELLEN LEONIDA
Counsel for Alexis Isabell Adams

11 DATED: October 22, 2012

/s/
RANDY SUE POLLOCK
Counsel for Marcus Shaw

14 DATED: October 22, 2012

/s/
BRIAN C. LEWIS
Assistant United States Attorney

17 IT IS SO ORDERED.

19 DATED: October 23, 2012


YVONNE GONZALEZ ROGERS
United States District Judge